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OCT 11 1983

REF: 8AW-WT

Mr. Eldon E. Roening
Environmental Engineer
Ashtand Chemical Company
P.O. Box 2219
Columbus, Ohio 43215

RE: Resource Conservation and
Recovery Act (RCRA)
EPA I.D. 4007030010026

Dear Mr. Roening:

We are writing in response to your August 10, 1983, letter concerning the interim status question at your Englewood, Colorado, plant.

Your letter points out that Ashtand acquired ownership of the facility on September 28, 1980, and filed the Notification Form (8700-12) on October 7, 1980. The circumstances surrounding the late filing of the Form do not alter the fact that the facility did not meet one of the statutory requirements for interim status under RCRA; namely, the filing of the Notification Form by August 18, 1980. Therefore, this facility does not have interim status.

There are a few limited situations in which a facility that failed initially to qualify for interim status can later obtain that status. These situations are described in the Regulation Interpretation Memorandum (RIM) published in the December 10, 1981, Federal Register. Aside from the Notification problem, this RIM is not applicable to your situation because you intend to receive waste from off-site, rather than handling waste which was generated on-site.

It is unfortunate that you did not submit a Part B application at the time of your April letter. If you had, a permit might have been issued by now. Even if you had interim status at the site, Ashtand eventually would have been requested to submit a Part B permit application. We suggest that you submit a Part B as soon as possible. We will endeavor to expedite the processing of your application.

If you have any questions about the permit requirements or procedures, please contact Mr. Lawrence A. Wapensky, Chief of our Permits Section, at (303) 877-6252.

Sincerely yours,

/s/ original signed by Robert L. Duprey

Robert L. Duprey, Director
Air and Waste Management Division

cc: Carol Baker
Ashtand Chemical Company
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